GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension) – Departmental action Under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules 1991 – Article of Charges framed against Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension) – Orders – Issued.

Industries & Commerce (Vigilance) Department

G.O.RT.No. 240 Dated: 09-12-2020

Read the following:

Ref:-1.Note No.1237/M(PR&RD, Mines & Geology)/2019, dt.12.11.2019 from the Hon'ble Minister for Panchayat Raj Rural Development, Mines and Geology, Govt. of A.P.,

2. G.O.Rt.No.345, III & Com (Vig) Dept dt: 13.12.2019.

3. Govt., Memo No. INC01-MG/45/2019-VIG, Dt: 13.12.2019.

4.Lr.No.977/TP/2019, Dt:27.04.2020 from the DDM&G, Vizianagaram

5. From the DMG, Lr.No. 2573303/Vg/2019, Dt:31.07.2020 and dt:15.10.2020.

6. Govt., Memo No. INC01-MG/45/2019-VIG, Dt: 05.11.2020.

7. G.O.Rt.No.239, Ind & Com (Vig) Dept dt:09.12.2020.

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ORDER:-

It is proposed to hold an enquiry against Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension) is directed to submit his written statement of defense within ten days of the receipt of this order and also state whether he desires to be heard in person.

4. He is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension) is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control, and Appeal) Rules, 1991 or orders/ directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at

(P.T.O)

his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.V.V.S. Chowdary, Deputy Director of Mines & Geology (FAC), Visakhapatnam (under suspension). (w.e, Annexures-I to IV) through the Director of Mines And Geology Department, Vijayawada (with a request to serve the order on the individual and send the served copy with dated signature to Government)
The Director of Mines & Geology, B Block (Vth and VIth Floors), Anjaneya Towers, Ibrahimpatnam, Vijayawada, Krishna District.
Copy to
The APVC, 5th Block, AP Secretariat, Velagapudi.
SF/SC

//Forwarded : By Order//

SECTION OFFICER

ANNEXURE-1

ARTICLE OF CHARGES FRAMED AGAINST SRI G.V.VS. CHOWDARY, DDM&G (FAC), VISAKHAPATNAM DISTRICT

That, Sri G.V.V.S. Chowdary while working as DDM&G(FAC), Visakhapatnam the following irregularities have taken place during his tenure:

Charge-I:

Sri G.V.V.S. Chowdary while working as DDM&G(FAC), Visakhapatnam have accorded permission for issuing of TP's in certain cases without fixing any valid dates for utilization of Temporary Permits.

Charge-II

The DDM&G, Visakapatnam has totally violated the objective fixed for issue of Temporary permits, which was mis-used for commercial, construction, levelling and filling purpose which is violation under the provision of APMMC Rules, 1966 and instructions issued by the DM&G. There are excess quantities of the Gravel / Earth dispatched beyond the permitted quantity covered under Temporary Permit areas which is violating Rule 5 of APMMC Rules, 1966 attracting penalty and Rule 26 (1) & (2) of APMMC Rules, 1966. Resulting loss of Rs. 33,45,69,015/- (Thirty three crores forty five lakhs sixty nine thousand and fifteen rupees only) to the Government.

Thus, Sri G.V.V.S. Chowdary, DDM&G (FAC), Visakhapatnam failed to supervise properly his immediate sub-ordinate i.e., ADM&G, Visakhapatnam by his above mentioned acts failed to take all possible steps to ensure the integrity and devotion to duty of his subordinate who is under control and authority and thereby contravened Rule 3(5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI G.V.V.S. CHOWDARY, DDM&G (FAC),VISAKHAPATNAM.

The Hon'ble Minister for Panchayat Raj Rural Development, and Mines and Geology, Amaravathi vide Note dated: 12.11.2019 stating that the ADM&G, Visakhapatnam & the DDM&G, Visakhapatnam, are issuing Temporary permits without observing of Rules and Regulations. Subsequently, the Hon'ble Minister has directed not to issue Temporary permits for Gravel/Earth in Visakhapatnam district and submit the details of Temporary permits issued to various contractors/individuals from 01.04.2019.

Accordingly, the DM&G directed the ADM&G, Visakhapatnam and Anakapalli, the Deputy Director of Mines and Geology, Visakhapatnam not to issue Temporary permits for Gravel/Earth in Visakhapatnam District and to submit the details of Temporary permits issued to various contractors/individuals from 01.04.2019.

The Government vide Memo INC01-MG/45/2019-VIG, Dt: 13.12.2019 directed the Deputy Director of Mines & Geology, Vizianagaram to inspect the areas for which the temporary permits have been issued to determine the actual excavated/ transported quantities to ascertain the loss of mineral revenue and to propose necessary action for realization of the same.

The Deputy Director of Mines and Geology, Vizianagaram vide Lr.No. 977/TP/2019, dt:13.07.2020 observed that certain violations committed by the Assistant Director of Mines & Geology, Visakhapatnam and Anakapalli provision of APMMC Rules and instructions issued by the Director of mines and Geology were totally violated and the objective fixed for issue of Temporary permits was misused for commercial construction, levelling and filling purposes. The details of mineral revenue loss to the Government is as follows:

Sl. No.	Name of the Mineral	No. of permits issued	Permitted quantity in Cum	Quantity of mineral extracted from the old pit	Quantity extracted and dispatched in Cum	Difference quantities in Cum	Normal S. Fee (Rs. in Lakhs)	10 times penalty (Rs. in lakhs)	Total (Rs. in lakhs)
1	Gravel & Ordinary Earth	38	1617797	53345	1486942	184977	83.24	832.40	915.64
2	Building Stone	15	55386	48914	292139	245460	220.91	2209.14	2430.05
	Total	53	1673183	102259	1779081	430437	304.14	3041.53	3345.69

Thus, the delinquent officer by his above mentioned acts has exhibited lack of Integrity and devotion to duty thereby, he violated Rule 3(1)(2) & (5) of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

DOCUMENTARY EVIDENCE:-

1.	Note No.1237/M(PR&RD, Mines & Geology)/2019, dt.12.11.2019 from the Hon'ble Minister for Panchayat Raj Rural Development, Mines and Geology, Govt. of A.P.,
2	DM&G, Memo.No. 2573303/Vg/2019, Dt:13.11.2019
3	Govt., Memo No. INC01-MG/45/2019-VIG, Dt: 13.12.2019.
4	Lr No.977/TP/2019, Dt:27.04.2020 from the DDM&G, Vizianagaram
5	Lr No.977/TP/2019, Dt:13.07.2020 from the DDM&G, Vizianagaram

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-IV

List of Witnesses:

1.	Sri K. Purnachandar Rao, DDM&G, Vizianagaram (Retd)
2.	Sri Kalidas, Surveyor (OS), O/o ADM&G,Visakhapatanm
3.	Sri T.Raja Sekhar, Royalty Inspector, O/o DDM&G, Visakhapatnam
4.	Sri M.Govinda Rao, Surveyor, O/o DDM&G, Visakhapatnam
5.	Sri K.Tulasi Rao, Technical Assistant, O/o DDM&G, Visakhapatnam

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT